



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

Brunswick Planning Commission Minutes January 22, 2007

Commission Members Present: Chair Ed Gladstone, Vice Chair Connie Koenig, Secretary Wayne Dougherty, Council Liaison Walt Stull, Don Krigbaum, and Ellis Burruss, Alternate.

Staff Present: Planning and Zoning Administrator Rick Stup, City Development Review Planner Jeff Love, DPW Admin. Coordinator Jack Whitmore, and County Planning Liaison Carole Larsen.

Chair Gladstone called the meeting to order at 7:00 PM.

Mr. Gladstone requested all those in attendance who were going to speak to rise and be sworn in.

Minutes

The minutes of the November 27, 2006 meeting were reviewed and approved as presented. (MOTION by Mr. Burruss and seconded by Mr. Krigbaum unanimously passed.)

Mr. Dougherty entered the meeting.

Chair

Mr. Gladstone stated that the night's events were being televised and recorded.

Mr. Stup reviewed the Agenda Package and the items distributed on the Dais. He reminded the Commission and applicants that any items from this evening agenda, that are unfinished, will be heard in order at the beginning of the Wednesday, January 24 meeting.

Old Business

Master Plan

Staff review of the status and schedule revisions for Update/Re-write of the current City of Brunswick Master Plan

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Mr. Whitmore reviewed the Schedule and progress with regard to the Master Plan Update/Rewrite. He stated that there was another Mayor & Council Workshop scheduled for Tuesday, January 30 at 6:00 PM.

Messrs. Whitmore and Stup answered Commission questions.

Zoning – Site Plans

Galyn Manor Recreational Amenities Site Plan – Staff update of the status of the Temporary Use of the School Site for a Recreational Areas in the Galyn Manor PUD, located West of MD Route 464, North of Souder Road. Zoning Classification: R-1; BR-PUD-01-SP-RA

Staff Presentation:

Mr. Stup briefed the Commission on the status of the progress for utilization of the BOE School Site for use as a Temporary Recreation Area for Galyn Manor, and answered Commission questions.

Applicant:

Bob Dalrymple, Linowes & Blocher, and Joe McGraw, Pulte Homes, provided additional information to the Commission. It was stated that the developer is committed to provide the Temporary Recreation either through the Lease/Lease suggestion by FCPS or purchase of the School Site.

Messrs. Stup, Dalrymple and McGraw answered questions from the Commission.

Public Comment:

Mike Acker, Galyn Manor HOA, commented and answered Commission questions on behalf of the HOA.

New Business:

Public Hearing

Text Amendment – Zoning Ordinance

Review of Planning Commission initiated amendment (Ordinance 448) to the Zoning Ordinance, Article 5, Section 5.12 A.2. and Article 5, Section 5.12 B. 2. a. for a recommendation to the Mayor and Council. BR-ZO-06-02-TA

Staff Presentation and Recommendation:

Mr. Stup presented the Staff Report for the proposed revisions to the Zoning Ordinance.

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The following is a summary of the proposed amendments:

Article 5 General Requirements, Section 5.12 A. 2.

Language has been added to require conformity with the Final Site Plan and Final Site Development Plan, as defined in the Subdivision Regulations, prior to the issuance of a Zoning Certificate.

Article 5 General Requirements, Section 5.12 B. 2 a.

Language has been added to clarify when a Final Site Plan is considered approved.

Staff has received comments that there was a typo in the Ad published in the newspaper and request that the case be withdrawn from the agenda and re-advertised for another meeting. It has been the practice of the City not to give a detail summary in Ads if there are multiple Text Amendments or if there are numerous revisions. Instead the entire document was placed on the Web Site for review or available at City Hall. The references to the sections of the Zoning Ordinance to be amended were correct. The typo was the failure to delete any summary reference to what was to be revised, but there still was a reference to the City Web Site and how to obtain a hard copy. While it is Staff's opinion that the advertisement requirement has been fulfilled, the City Attorney advises to proceed, as with other cases when there were discrepancies with advertisement, with the Public Hearing, but delay a decision until re-advertisement for the next Planning Commission Meeting. Additional public testimony would be taken at that time before a decision. (The City Attorney also suggests that a Text Amendment to clarify this Text Summary would alleviate the possibility of this occurrence in the future and bring the Ordinance into current day practices.)

Mr. Stup answered Commission questions with regard to the proposed amendments and Staff Recommendation.

Applicant: None since the City is the applicant.

Public Comment:

Dan Snyder, Brunswick Crossing LLC, spoke in favor of the amendment.

Kim Cable spoke about the amendment process.

Rebuttal: None.

Decision:

Ms. Koenig made a motion to continue the amendments in accordance with Staff Recommendation until the February 26, 2007 meeting; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Review of Planning Commission initiated amendment (Ordinance 449) to the Zoning Ordinance, Article 6, Section 6.6 for a recommendation to the Mayor and Council. BR-ZO-06-03-TA

Staff Presentation and Recommendation:

Mr. Stup presented the Staff Report for the proposed revisions to the Zoning Ordinance.

The following is a summary of the proposed amendments:

Article 6 Administration, Section 6.6 Revocation.

Language has been added to require conformity with the Final Site Plan and Final Site Development Plan, as defined in the Subdivision Regulations, prior to the issuance of a Zoning Certificate.

Staff has received comments that there was a typo in the Ad published in the newspaper and request that the case be withdrawn from the agenda and re-advertised for another meeting. It has been the practice of the City not to give a detail summary in Ads if there are multiple Text Amendments or if there are numerous revisions. Instead the entire document was placed on the Web Site for review or available at City Hall. The references to the sections of the Zoning Ordinance to be amended were correct. The typo was the failure to delete any summary reference to what was to be revised, but there still was a reference to the City Web Site and how to obtain a hard copy. While it is Staff's opinion that the advertisement requirement has been fulfilled, the City Attorney advises to proceed, as with other cases when there were discrepancies with advertisement, with the Public Hearing, but delay a decision until re-advertisement for the next Planning Commission Meeting. Additional public testimony would be taken at that time before a decision. (The City Attorney also suggests that a Text Amendment to clarify this Text Summary would alleviate the possibility of this occurrence in the future and bring the Ordinance into current day practices.)

Mr. Stup answered Commission questions with regard to the proposed amendment and Staff Recommendation.

Applicant: None since the City is the applicant.

Public Comment:

Dan Snyder, Brunswick Crossing LLC, spoke in favor of the amendment.

Kim Cable spoke about the amendment process.

Rebuttal: None.

Decision:

Ms. Koenig made a motion to continue the amendments in accordance with Staff Recommendation until the February 26, 2007 meeting; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

County APFO Amendment Referrals

APFO – County

Review of the proposed Board of County Commissioner's amendment of the County APFO, Section 1-20-8 with regard to extension of APFO Approval for recommendation to the Mayor & Council. FcPc File Number AT-06-04

Staff Presentation and Recommendation:

Mr. Stup presented the Staff Report for the proposed amendment to the County APFO.

Staff recommends that the Planning Commission forward an Approval Recommendation to the Mayor and Council for the following reasons:

1. The proposed amendment does not undermine the intent of the City APFO, especially the School Test.
2. It does not appear to create additional opportunities for development to infringe into the Ag and Conservation Zones.
3. It does not encourage development outside of designated Growth Areas.
4. The City's ability to execute its Master Plan appears would not be compromised.

Staff further recommends the recommendation be forwarded to the Mayor and Council as part of the Staff Report.

Mr. Stup answered Commission questions with regard to the proposed amendment and Staff Recommendation.

Applicant: None since the request was from the Frederick County.

Public Comment:

Rebuttal: None.

Decision:

Mr. Dougherty made a motion to approve the amendments in accordance with Staff Recommendation; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Review of the proposed Board of County Commissioner's amendment of the County APFO, Section 1-20-7, E with regard to exemptions for Older Persons for recommendation to the Mayor & Council. FcPc File Number AT-06-05.

Staff Presentation and Recommendation:

Mr. Stup presented the Staff Report for the proposed amendment to the County APFO.

Staff recommends that the Planning Commission forward an Approval Recommendation to the Mayor and Council for the following reasons:

1. The proposed amendment does not undermine the intent of the City APFO.
2. It does not appear to create additional opportunities for development to infringe into the Ag and Conservation Zones.
3. It does not encourage development outside of designated Growth Areas.
4. The City's ability to execute its Master Plan appears would not be compromised.

Staff further recommends the recommendation be forwarded to the Mayor and Council as part of the Staff Report.

Mr. Stup answered Commission questions with regard to the proposed amendment and Staff Recommendation.

Applicant: None since the request was from the Frederick County.

Public Comment: None.

Rebuttal: None.

Decision:

Ms. Koenig made a motion to approve the amendments in accordance with Staff Recommendation; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Zoning -Improvement Plan

Brunswick Crossing PUD – Request for Improvement Plan Approval for Sanitary Sewer Outfall, located East of Jefferson Pike, South of Burkittsville Road, West of Petersville Road. Zoning Classification: R-1, R-2, RS and OS; Water and Sewer Classification: W-3, S-3; BR-PUD-03-01-PIII-IP-1

Staff Presentation and Recommendation

Mr. Love presented the Staff Report for the On-Site Sanitary Sewer outfall Improvement Plans.

Staff recommends Approval of the Improvement Plan in accordance with the Staff Report and with the following specific conditions:

1. Address Checksheet Items and Staff Comments to Staff's satisfaction.
2. Address appropriate Agency Comments.

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3. Applicant bound by their testimony.

Mr. Love answered Commission questions.

Applicant:

Mr. Dan Snyder, Brunswick Crossing LLC, presented the applicant case with Mark Wendland, EDSA. Also present for questions were Jim Ruff, Macris, Hendricks & Glascock, and Jonathan Allgaier, Fusion Architecture, Planning, and Design. Lou Iaquinta and Jerry Connelly, Brunswick Crossing LLC, and Leon Enfield were present from the Development Team.

Public Comment: None.

Rebuttal: None.

Decision

Mr. Krigbaum made a motion to approve the On-Site Sanitary Sewer Outfall improvement Plans in accordance with the Staff Recommendation and Staff Report; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Zoning – Site Plan

Brunswick Crossing PUD – Request for Site Plan Approval for Phase 1A (Potomac View Parkway), located East of Jefferson Pike, South of Burkittsville Road, West of Petersville Road. Zoning Classification: R-1, R-2, RS and OS; Water and Sewer Classification: W-3, S-3; BR-PUD-03-01-PIII-SP-01

Staff Presentation and Recommendation

Mr. Love presented the Staff Report for Phase 1A (Potomac View Parkway) Site Plan. The following items of concern were raised:

- The number of lot types and overall unit density must remain consistent with the Phase III Preliminary Plan approval. Staff concurs with the Types and Locations of the proposed lots.
- Staff concurs with the location and use of the roundabout on Potomac View Parkway provided it is clarified in more detail on the Site Plan and Improvement Plans.
- Staff concurs with this concept, with the condition that the cul-de-sac island is maintained by the Brunswick Crossing HOA and that detailed site plans for the green spaces/recreational areas are submitted for Planning Commission approval. In addition, a schedule for the construction of the green spaces/recreational areas must be provided prior to or with the submission of Final Plats.

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- At a minimum conceptual Trail Head Locations must be identified on the Site Plan with final locations occurring with the submission of the Site Plans for the Trail System.
- Staff concurs with this proposal if detailed landscape plans, at a minimum by block are submitted for staff review and concurrence prior to or with zoning certificates for the affected lots.
- Staff finds that the Dimensional Requirements shown on the Site Plan are in compliance with those approved by the Phase III Preliminary Plan and the Additional Modifications granted by the Planning Commission on November 27, 2006.
- Either a connection from Jefferson Pike or from Burkittsville Road, as indicated on the Phase III Preliminary Plan, must be platted and guaranteed prior to the issuance of any zoning certificates.
- Staff concurs with the use of Street Trees subject to the HOA maintenance as the applicant has indicated in the general notes. Final Street Tree Locations will be addressed at the Improvement Plan Stage in order to ensure that public and private infrastructure is not adversely affected.
- Street Lights and lighting in other common areas must be addressed at the Improvement Plans. All lighting must be in accordance with the Dark Sky Principle and other applicable regulations.
- Signage details must be provided as part of the Improvement Plans and must address Street and Neighborhood signs and locations. Light Fixtures are generally not to exceed fifteen feet (15') in height from the ground.

Staff recommends Continuance of the Site Plan in accordance with the Staff Report and in order to address the following items:

1. The item should be continued until either the Amendment Process to revise Zoning Ordinance Articles Article 5, Section 5.12 A.2. and Article 5, Section 5.12 B. 2. a. is complete or the applicant satisfies all relative conditions prior to approval.
2. Improvement Plans for the Site are submitted for Planning Commission Approval.
3. All required Easement Documents are approved and recorded.
4. HOA Documents are finalized and approved by the Planning Commission.
5. Cost Estimates are submitted and approved, and the PWA Package with Guarantees is submitted for Planning Commission Approval.
6. The number of lot types and overall unit density must remain consistent with the Phase III Preliminary Plan approval.
7. The cul-de-sac island pocket green is owned/maintained by the Brunswick Crossing HOA. A detailed Site Plan for the green space/recreational area is submitted for Planning Commission approval. In addition, a schedule for the construction of the green spaces/recreational areas must be provided prior to or with the approval of Final Plats.
8. At a minimum conceptual Trail Head Locations must be identified with the final locations occurring with the submission of the Site Plans for the Trail System.

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9. Detailed on lot landscape plans, at a minimum by block are submitted for staff review and concurrence prior to or with zoning certificates for the affected lots.
10. Either a connection from Jefferson Pike or from Burkittsville Road, as indicated on the Phase III Preliminary Plan, must be platted and guaranteed prior to the issuance of any zoning certificates.
11. Street Trees are subject to the HOA maintenance. Final Street Tree locations must be addressed at the Improvement Plan Stage in order to ensure that public and private infrastructure is not adversely affected.
12. Street Lights and lighting in other common areas must be provided/addressed on the Improvement Plans. All lighting must be in accordance with the Dark Sky Principle and other applicable regulations. Light Fixtures are generally not to exceed fifteen feet (15') in height from the ground.
13. Signage details must be provided as part of the Improvement Plans and must address Street and Neighborhood signs and locations.
14. Address checksheet and Staff comments to Staff's satisfaction.
15. Address appropriate Agency comments.
16. Applicant is bound by their testimony.

Mr. Love answered Commission questions.

Applicant:

Mr. Dan Snyder, Brunswick Crossing LLC, presented the applicant case with Mark Wendland, EDSA. Also present for questions were Jim Ruff, Macris, Hendricks & Glascock, and Jonathan Allgaier, Fusion Architecture, Planning, and Design. Lou Iaquina and Jerry Connelly, Brunswick Crossing LLC, and Leon Enfield were present from the Development Team.

Public Comment:

None

Rebuttal:

None.

Decision

Ms. Koenig made a motion to continue the Phase 1A Site Plan in accordance with the Staff Recommendation and Staff Report; Mr. Stull seconded the motion.

VOTE: Yea 5 Nay 0

Brunswick Crossing PUD – Request for Site Plan Approval for Phase 1B, located East of Jefferson Pike, South of Burkittsville Road, West of Petersville Road.

Zoning Classification: R-1, R-2, RS and OS; Water and Sewer Classification: W-3, S-3; BR-PUD-03-01-PIII-SP-02

Mr. Love presented the Staff Report for Phase 1B Site Plan. The following items of concern were raised:

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- The number of lot types and overall unit density must remain consistent with the Phase III Preliminary Plan approval. Staff concurs with the Types and Locations of the proposed lots.
- Staff concurs with the pocket green spaces/recreational areas as shown provided that detailed site plans for the green spaces/recreational areas are submitted for Planning Commission approval. In addition, a schedule for the construction of the green spaces/recreational areas must be provided prior to or with the submission of Final Plats.
- At a minimum conceptual Trail Head Locations must be identified on the Site Plan with final locations occurring with the submission of the Site Plans for the Trail System.
- Staff concurs with this proposal if detailed landscape plans, at a minimum by block are submitted for staff review and concurrence prior to or with zoning certificates for the affected lots.
- Staff finds that the Dimensional Requirements shown on the Site Plan are in compliance with those approved by the Phase III Preliminary Plan and the Additional Modifications granted by the Planning Commission on November 27, 2006.
- Staff finds that the number of parking spaces is in accordance with the requirements of the Zoning Ordinance.
- Staff concurs with the use of Street Trees subject to the HOA maintenance as the applicant has indicated in the general notes. Final Street Tree Locations will be addressed at the Improvement Plan Stage in order to ensure that public and private infrastructure is not adversely affected.
- Staff concurs with this concept, with the condition that the cul-de-sac islands are maintained by the Brunswick Crossing HOA.
- Street Lights and lighting in other common areas must be addressed on the Improvement Plans. All lighting must be in accordance with the Dark Sky Principle and other applicable regulations. Light fixtures over fifteen feet (15') from the ground are generally not permitted.
- Signage details must be provided as part of the Improvement Plans and must address Street and Neighborhood signs and locations.

Staff recommends Continuance of the Site Plan in accordance with the Staff Report and in order to address the following items:

1. The item should be continued until either the Amendment Process to revise Zoning Ordinance Articles Article 5, Section 5.12 A.2. and Article 5, Section 5.12 B. 2. a. and Article 6, Section 6.6 are completed or the applicant satisfies all relative conditions prior to approval.
2. Improvement Plans for the Site are submitted for Planning Commission Approval.
3. All required Easement Documents are approved and recorded.
4. HOA Documents are finalized and approved by the Planning Commission.
5. Cost Estimates are submitted and approved, and the PWA Package with Guarantees is submitted for Planning Commission Approval.

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6. The number of lot types and overall unit density must remain consistent with the Phase III Preliminary Plan approval.
7. A detailed Site Plan for the green space/recreational area is submitted for Planning Commission approval. In addition, a schedule for the construction of the green spaces/recreational areas must be provided prior to or with the approval of Final Plats.
8. At a minimum conceptual Trail Head Locations must be identified on the plan with final locations occurring with the submission of the Site Plans for the Trail System.
9. Detailed on lot landscape plans, at a minimum by block are submitted for staff review and concurrence prior to or with zoning certificates for the affected lots.
10. Either a connection from Jefferson Pike or from Burkittsville Road, as indicated on the Phase III Preliminary Plan, must be platted and guaranteed prior to the issuance of any zoning certificates.
11. Street Trees are subject to the HOA maintenance. Final Street Tree locations must be addressed at the Improvement Plan Stage in order to ensure that public and private infrastructure is not adversely affected.
12. Street Lights and lighting in other common areas must be provided/addressed on the Improvement Plans. All lighting must be in accordance with the Dark Sky Principle and other applicable regulations. Light fixtures over fifteen feet (15') from the ground are generally not permitted.
13. Signage details must be provided as part of the Improvement Plans and must address Street and Neighborhood signs and locations.
14. Address checksheet and Staff comments to Staff's satisfaction.
15. Address appropriate Agency comments.
16. Applicant is bound by their testimony.

Mr. Love answered Commission questions.

Applicant:

Mr. Dan Snyder, Brunswick Crossing LLC, presented the applicant case with Mark Wendland, EDSA. Also present for questions were Jim Ruff, Macris, Hendricks & Glascock, and Jonathan Allgaier, Fusion Architecture, Planning, and Design. Lou Iaquina and Jerry Connelly, Brunswick Crossing LLC, and Leon Enfield were present from the Development Team.

Public Comment:

None

Rebuttal:

None.

Decision

Ms. Koenig made a motion to continue the Phase 1B Site Plan in accordance with the Staff Recommendation and Staff Report; Mr. Dougherty seconded the motion.

VOTE: Yea 5 Nay 0

Brunswick Crossing PUD – Request for Site Plan Approval for Community Center, located East of Jefferson Pike, South of Burkittsville Road, West of Petersville Road. Zoning Classification: R-1, R-2, RS and OS; Water and Sewer Classification: W-3, S-3; BR-PUD-03-01-PIII-SP-03

Mr. Love presented the Staff Report for the Community Center Site Plan. The following items of concern were raised/clarified:

- Staff finds that the site plan is in concurrence with the Phase III Preliminary Plan.
- Staff concurs with the setbacks and the location of the principle structure.
- Staff concurs with the access to Site and the use of the roundabout. However, either a connection from Jefferson Pike or from Burkittsville Road, as indicated on the Phase III Preliminary Plan, must be platted and guaranteed prior to the issuance of any zoning certificates.
- Staff concurs with the pedestrian/biker access.
- Staff concurs with the amount of vehicle parking proposed. The Planning Commission may modify this requirement if it feels that it is inadequate or provides an overabundance of parking.
- Staff concurs with the parking lot screening provided that the screening provided is at a minimum of four feet (4') in height.
- The number of bicycle spaces must be clarified on the Plan and must be adequate to serve the community.
- Staff concurs with the types and locations of the landscaping provided.
- Light fixtures over fifteen feet (15') from the ground are generally not permitted and must be in accordance with the Dark Sky Principle and other applicable regulations.
- Staff concurs with the location of the signage pending the clarification of the size and types for staff review and approval.
- Fixture unit counts must be provided with the improvement plans for the site.

Staff recommends Continuance of the Site Plan in accordance with the Staff Report and in order to address the following items:

1. The item should be continued until either the Amendment Process to revise Zoning Ordinance Articles Article 5, Section 5.12 A.2. and Article 5, Section 5.12 B. 2. a. and Article 6, Section 6.6 are completed or the applicant satisfies all relative conditions prior to approval.
2. Improvement Plans for the Site are submitted for Planning Commission Approval.
3. All required Easement Documents are approved and recorded.
4. HOA Documents are finalized and approved by the Planning Commission.
5. Cost Estimates are submitted and approved, and the PWA Package with Guarantees is submitted for Planning Commission Approval.
6. The Facility will be private and maintained by the HOA.
7. Either a connection from Jefferson Pike or from Burkittsville Road, as indicated on the Phase III Preliminary Plan, must be platted and guaranteed prior to the issuance of any zoning certificates.

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8. Parking lot screening provided is at a minimum of four feet (4') in height.
9. The number of bicycle spaces must be clarified on the Plan and must be adequate to serve the community.
10. Light fixtures over fifteen feet (15') from the ground are generally not permitted and must be in accordance with the Dark Sky Principle and other applicable regulations.
11. The size and types of signage must be clarified for staff review and approval.
12. Fixture unit counts must be provided with the improvement plans for the site.
13. Address checksheet and Staff comments to Staff's satisfaction.
14. Address appropriate Agency comments.
15. Applicant is bound by their testimony.

Mr. Love answered Commission questions.

Applicant:

Mr. Dan Snyder, Brunswick Crossing LLC, presented the applicant case with Mark Wendland, EDSA. Also present for questions were Jim Ruff, Macris, Hendricks & Glascock, and Jonathan Allgaier, Fusion Architecture, Planning, and Design. Lou Iaquina and Jerry Connelly, Brunswick Crossing LLC, and Leon Enfield were present from the Development Team.

Public Comment: None.

Rebuttal: None.

Decision

Mr. Stull made a motion to continue the Community Center Phase Site Plan in accordance with the Staff Recommendation and Staff Report; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Brunswick Crossing PUD – Request for Site Plan Approval for Phase 1C (Dutchmans Creek Drive), located East of Jefferson Pike, South of Burkittsville Road, West of Petersville Road. Zoning Classification: R-1, R-2, RS and OS; Water and Sewer Classification: W-3, S-3; BR-PUD-03-01-PIII-SP-04

Mr. Love presented the Staff Report for the Community Center Site Plan. The following items of concern were raised/clarified:

- Staff concurs with the pocket green spaces/recreational areas as shown provided that detail site plans for the green spaces/recreational areas are submitted for Planning Commission approval. In addition, a schedule for the construction of the green spaces/recreational areas must be provided prior to or with the submission of Final Plats.

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- Staff concurs with this proposal if detailed landscape plans, at a minimum by block are submitted for staff review and concurrence prior to or with zoning certificates for the affected lots.
- Staff finds that the Dimensional Requirements shown on the Site Plan are in compliance with those approved by the Phase III Preliminary Plan and the Additional Modifications granted by the Planning Commission on November 27, 2006.
- Staff finds that the number of parking spaces is in accordance with the requirements of the Zoning Ordinance.
- Staff concurs with the use of Street Trees subject to the HOA maintenance as the applicant has indicated in the general notes. Final Street Tree Locations will be addressed at the Improvement Plan Stage in order to ensure that public and private infrastructure is not adversely affected.
- Street Lights and lighting in other common areas must be provided on the Improvement Plans. All lighting must be in accordance with the Dark Sky Principle and other applicable regulations. Light Fixtures are generally not to exceed fifteen feet (15') in height from the ground.
- Signage details must be provided as part of the Improvement Plans and must address Street and Neighborhood signs and locations.

Staff recommends continuance of the Site Plan in accordance with the Staff Report and in order to address the following items:

1. The item should be continued until either the Amendment Process to revise Zoning Ordinance Articles Article 5, Section 5.12 A.2. and Article 5, Section 5.12 B. 2. a. and Article 6, Section 6.6 are completed or the applicant satisfies all relative conditions prior to approval.
2. Improvement Plans for the Site are submitted for Planning Commission Approval.
3. All required Easement Documents are approved and recorded.
4. HOA Documents are finalized and approved by the Planning Commission.
5. Cost Estimates are submitted and approved, and the PWA Package with Guarantees is submitted for Planning Commission Approval.
6. The number of lot types and overall unit density must remain consistent with the Phase III Preliminary Plan approval. Staff concurs with the Types and Locations of the proposed lots.
7. Detailed site plans for the green spaces/recreational areas are submitted for Planning Commission approval. In addition, a schedule for the construction of the green spaces/recreational areas must be provided prior to or with the submission of Final Plats.
8. Detailed on lot landscape plans, at a minimum by block are submitted for staff review and concurrence prior to or with zoning certificates for the affected lots.
9. Street Trees are subject to HOA maintenance. Final Street Tree Locations will be addressed at the Improvement Plan Stage in order to ensure that public and private infrastructure is not adversely affected.
10. Street Lights and lighting in other common areas must be provided on the Improvement Plans. All lighting must be in accordance with the Dark Sky

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- Principle and other applicable regulations. Light Fixtures are generally not to exceed fifteen feet (15') in height from the ground.
11. Signage details must be provided as part of the Improvement Plans and must address Street and Neighborhood signs and locations.
 12. Address checksheet and Staff comments to Staff's satisfaction.
 13. Address appropriate Agency comments.
 14. Applicant is bound by their testimony.

Mr. Love answered Commission questions.

Applicant:

Mr. Dan Snyder, Brunswick Crossing LLC, presented the applicant case with Mark Wendland, EDSA. Also present for questions were Jim Ruff, Macris, Hendricks & Glascock, and Jonathan Allgaier, Fusion Architecture, Planning, and Design. Lou Iaquina and Jerry Connelly, Brunswick Crossing LLC, and Leon Enfield were present from the Development Team.

Public Comment: None.

Rebuttal: None.

Decision

Ms. Koenig made a motion to continue the Phase 1C (Dutchmans Creek Drive) Site Plan in accordance with the Staff Recommendation and Staff Report; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Public Comment

Mr. Stup stated that the remainder of the January Agenda would be heard on Wednesday January 24, 2007 at 7:00 PM. Staff would try to complete the review and draft the additional Staff Report for distribution late Tuesday if at all possible. If not, it will be distributed by noon on Wednesday.

Adjournment

The meeting was adjourned at 10:05 PM.

Respectfully submitted,

Wayne S. Dougherty, Secretary
Brunswick Planning Commission